Central Africa

Burundi, Cameroon, Central African Republic, Chad, Democratic Republic of Congo, Equatorial Guinea, Gabon, Republic of Congo, Rwanda, São Tomé and Príncipe

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Overview

Recent elections and democratisation efforts in many Central African countries – including Cameroon, Chad, Gabon, Republic of Congo (ROC) and São Tomé and Príncipe – have not produced accountable, transparent governments. In other countries in the region, notably Democratic Republic of Congo (DRC), Rwanda and Burundi, chronic political instability has continued to breed corruption. In the last 12 months, corrupt practices throughout the region also continued to appropriate the resources needed to combat poverty.

National anti-corruption legislation and policy declarations have not generally come as a result of genuine political will to combat corruption, but in response to pressure from international institutions such as the International Monetary Fund (IMF), the World Bank and the donor community. In the last year, these international actors continued to tie their aid to good governance measures.

Corruption within the civil service of countries in the region is attributable to both greed and poverty among employees in government and the private sector. In those countries that have been part of the recent boom in oil exploration in Central Africa – notably Chad and Equatorial Guinea, but also Cameroon, Gabon, ROC and São Tomé and Príncipe – the revenues flowing to government have opened huge opportunities for corruption. In the DRC, valuable mineral resources provided the incentive for international companies to deal with rebels, with revenues transferred into personal bank accounts that were used to purchase more arms to sustain the war.[1]

The implementation of anti-corruption efforts in 2001–02 continued to be problematic owing to weak or ineffectual institutional and legal safeguards, a lack of political will and absence of the rule of law. Countries in the region also generally lack well-trained police forces that can investigate individuals and provide the courts with the evidence required for successful prosecution. To date, the region still has not developed independent judicial systems that can effectively prosecute individuals accused of corrupt behaviour, nor is it home to an independent press competent to investigate and expose corruption. In Burundi, Cameroon, Chad and DRC, journalists continue to risk long prison terms or bankrupting fines for covering corruption.

International and regional

Anti-corruption strategies featured prominently in both international and regional plans aimed at promoting good governance and poverty reduction in Central African countries over the past 12 months.

At the international level, the World Bank and the IMF have made debt relief to Highly Indebted Poor Countries (HIPCs) conditional on anti-corruption efforts and other good governance initiatives. All countries in this region, with the exception of Gabon, receive assistance under the initiative. The World Bank and the IMF package for Cameroon entails a governance and anti-corruption action plan that involves reform in the judiciary and public procurement, as well as the strengthening of budgetary execution and service delivery. The HIPC initiative was instrumental in prompting Chad to hold multiparty elections, create a supreme court, appoint an auditor-general and pass major anti-corruption laws. Chad established a special high court with jurisdiction over cases of misuse of public funds and financial and penal sanctions for violations. Chad also passed a Petroleum Revenue Management Law that provides for clear and transparent rules for allocating oil revenues, as well as for civil society participation in the Oil Revenues Control and Monitoring Board. Similarly, in Equatorial Guinea, the government's poverty reduction strategy calls for the implementation of measures to fight corruption and strengthen governance.

In Chad, the World Bank continued to make efforts last year to prevent corruption in the Doba Oil Basin project, the largest U.S. investment project in Africa. The US $3.7 billion Chad–Cameroon pipeline project, funded by the World Bank and a consortium of oil companies led by ExxonMobil, has been sharply criticised by environmental groups such as the Washington-based Environmental Defense Fund. There is growing anxiety that President Idriss Déby, whose arbitrary rule is worrying regional allies and foreign investors, is determined to control the revenue from the project, which is expected to generate as much as 250,000 barrels per day after it opens in 2003. In a radical departure from disclosure policies in the developing word, the World Bank is to audit and make public Chad's annual oil accounts.[2]

In February 2002, the IMF recommended that the ROC ensure full transparency of the operations of the National Congolese Petroleum Company (SNPC), which is in charge of marketing and selling oil from state-owned operations. The IMF identified the signing of a framework agreement between the SNPC and the state as an important step towards greater transparency, but urged authorities to proceed with its implementation and launch an external financial audit of the SNPC that reflects international standards. Estimates of oil revenues in ROC may be highly inaccurate, not only because data on oil sector transactions are incomplete but also because of doubts over the nature of data reported by oil companies.[3]

In Equatorial Guinea, the World Bank, the IMF and the opposition have called on the government to put in place transparent mechanisms in the management of oil revenue. With current oil production at 185,000 barrels a day, revenue is increasing rapidly. However, the consequent improvements in the financial stability of the government of President Teodoro Obiang Nguema Mbasogo permitted greater resistance to donor pressure for economic reform. Such pressure included specific calls by the IMF in August 2001 for improved fiscal transparency, full disclosure of government bank accounts abroad and independent external audits of the oil sector on an annual basis. International aid to Equatorial Guinea has been limited since 1994, when most programmes were suspended following allegations of government mismanagement and corruption.[4]

The last year witnessed a steady flow of reports of corruption in Cameroon's logging industry. The World Bank and Britain's Department for International Development (DfID) confirmed that British and other international companies felled areas as large as 80,000 hectares (200,000 acres) without permits; inspections carried out by government-appointed observers in late 2001 and early 2002 show that almost every major logging company in Cameroon had acted wholly or partly illegally. In April 2002, the World Bank urged President Paul Biya to prosecute offending logging companies and combat corruption in the industry, or risk losing official aid. Both the World Bank and DfID have been assisting Cameroon in the regulation of international logging companies.[5]

In Gabon, the IMF advised 'a prompt adoption and implementation of the anti-corruption laws, including the establishment of a fully independent anti-corruption agency'. In response, Gabon passed anti-corruption legislation. The IMF also underscored the importance of increasing the frequency of financial audits of the oil companies to once a year.[6] In DRC, anti-corruption policy declarations were made in response to international pressure.[7]

In the international legal realm, the International Criminal Tribunal for Rwanda (ICTR) in Arusha, Tanzania, came under attack for corrupt practices. A report released by the United Nations' Office of Internal Oversight Services in March 2002 refers to serious acts of corruption and 'fee splitting' between detainees and defence lawyers at the ICTR, where 'detainees solicit between US $2,500 to $5,000 per month from their defence teams'. The report finds that detainees make fee-splitting arrangements a condition for any lawyer who wishes to be selected for their defence team. In February 2002, lawyers assigned to a former politician and genocide suspect were dismissed after an investigation revealed malpractice; in May, seven senior attorneys were dismissed for 'professional incompetence'. Furthermore, ICTR's registrar initiated disciplinary action against a staff member who was found to have taken kickbacks from defence lawyers to process their payments expeditiously.[8]

National

Corruption was an important theme in Central African elections in the last year. The elections in Cameroon, Chad, Gabon, ROC and São Tomé and Príncipe seldom reflected the popular view and were marred by allegations of rigging, vote buying,

Corruption in Cameroon's forests

Corruption represents one of the greatest dangers to the sustainable management of forests in Cameroon. Corrupt practices distort the conditions that allow access to timber, undermine measures to prevent exploitation and enable loggers to continue their illegal extractions with impunity. The Centre for Environment and Development, a Cameroonian NGO, estimates that illegal timber accounted for about 45 per cent of the country's total timber production in 2000. Conservatively estimated, the value of that illegal timber was about US $200 million. Corruption also accelerates the destruction of national forests. Almost three-quarters of Cameroon's forests have either been logged or allocated as future logging concessions. By some estimates, logging at current rates will exhaust Cameroon's commercial timber within 15 years.[1]

The Cameroon government passed a law regulating logging concessions in 1994 in an effort to reverse its poor management record. Nevertheless, concessions were awarded under dubious circumstances. In 1998, the World Bank reported that 'concessions were awarded to the highest bidder in only 10 of 25 cases. [In some cases], concessions were awarded to bidders with low technical rankings and low bids. The authorities contend that in some cases the awards were politically motivated.'[2]

Under pressure from donors, Cameroon adopted two new anti-corruption measures in 1999: the establishment of an independent forestry control observer and an independent observer to the Commission for the Award of Forestry Exploitation Permits. Since May 2001, the British NGO Global Witness has been serving as independent forestry control observer in Cameroon, the only such post in the entire forestry sector of the Congo Basin. The impact of the mission, however, is still to be determined. 'The chief indicator of progress,' said Stuart Wilson of Global Witness, 'will be for the government to impose meaningful sanctions on the companies which are known by all those concerned to be logging illegally.'[3]

Indeed, most of the companies known to engage in illegal logging have not been subject to sanctions sufficiently punitive to deter them. In other cases, legal sanctions, such as the revoking of logging licences, have simply not been enforced. In one recent case, the Société Forestière Hazim (SFH), a company owned by the Lebanese consul to Cameroon, was found to have illegally exploited one third of its concession. The observer mission found that more than 20,000 hectares of forest in the concession had been exploited in 2001, with a 25 billion CFA francs (US $38 million) loss in earnings to the government and local communities. The owner of SFH, one of Cameroon's largest logging companies, reportedly boasted to a World Bank consultant: 'I do not respect the legal requirements for logging and I do not hide it.'[4]

The case is far from isolated. Of the 25 forestry concessions Global Witness visited during its observer mission, almost all displayed serious legal discrepancies. But the group also concedes that companies find it difficult to operate legally in Cameroon since permission to log invariably requires the payment of bribes.[5]

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1 *Times* (Britain), 17 April 2002.
2 World Bank, Report and Recommendation of the President of the International Development Association to the Executive Directors on a Proposed Credit to the Republic of Cameroon for the Third Structural Adjustment Credit, Washington, D.C., June 1998.
3 Global Witness press release, 'Release of reports of the Independent Observer of Forest law enforcement in Cameroon', 8 July 2002.
4 Luc Durrieu de Madron and Jean Ngaha, Revue technique sur les concessions forestières, Yaoundé, August 2000.
5 *Guardian* (Britain), 19 April 2002.

intimidation and violence. Critics noted that the leadership of Chad, Gabon and ROC continued to resist political transition by 'stealing' elections.

After making allegations of fraud, the opposition in Cameroon called for the annulment of parliamentary and municipal elections in June 2002. The elections were rescheduled for the following week, but were also marred by accusations of rigging, vote buying and multiple voting. The main opposition party and five other political movements announced that they would not recognise the election results.[9]

Following revelations of massive irregularities in Chad's presidential elections, a constitutional commission confirmed the disputed results in mid-June 2001. President Déby's ruling Patriotic Salvation Movement had been accused of intimidating voters, kidnapping police and shifting some polling stations to the houses of local allies.[10]

Despite Gabon's apparent political stability, the parliamentary elections held in December 2001 were attended by allegations of electoral fraud and corruption. Opposition parties accused President Omar Bongo's party of stealing the parliamentary elections and made vain calls for a run-off. One opposition party claimed that the Bongo administration was 'incapable of transforming its corrupt style of managing the state'.[11]

In ROC, President Denis Sassou-Nguesso imposed a democratic process that culminated in a referendum in December 2001 and a presidential election in March 2002 that was boycotted by opposition parties, who cited serious irregularities. Opinion polls showed that, in an open election, the largest share of the vote would have gone to the opposition. The Economist Intelligence Unit observes that the 'government's refusal to establish an independent election body to oversee the voting certainly suggests that President Sassou-Nguesso was determined to stay in power by fair means or foul; at the same time, however, much of the population is prepared to accept this as the price of peace, deeming a massaged election result preferable to an internationally unrecognised government or, worse, a re-fragmentation of military power'.[12]

São Tomé and Príncipe achieved limited credibility in its July 2001 elections when former president Manuel Pinto accepted the results despite failing to regain the power he had lost through democratic elections in 1991. His aggressive campaign had focused on fighting corruption and poverty, but it did not convince the electorate. Yet the results may have been influenced by the Nigerian government, which allegedly contributed financially to the opposition campaign of businessman Fradique de Menezes, who was sworn into office in early September 2001. Critics argue that Nigeria's interest in the elections was linked to its interest in securing a strategic partnership between the two countries in the exploitation of oil in the Gulf of Guinea.[13]

The inability of governments in the region to tackle the problem of corruption at borders and customs points continues to have serious financial implications. In addition to not guaranteeing security for local and international investors, governments sustain substantial losses in tax revenue. The DRC's inability to collect taxes,

Access to information in Central Africa

Print is the most important source of information in Central Africa and a growing number of independent newspapers have been publishing articles critical of governments. In the DRC, Kinshasa alone has more than 20 newspapers.

Only about four million people across the entire continent of Africa have access to Internet terminals.[1] All Central African capitals and major cities now have Internet access, but erratic electricity supplies are major barriers to connectivity elsewhere. The United Nations Development Programme Networking Academy has allocated US $6 million to improve connectivity and train students for jobs in the Internet economy in Africa. The Central African Republic, Chad, the DRC and São Tomé and Príncipe are all set to benefit under the programme.

The World Bank has called for grant proposals for the creation of 'country gateways' in sub-Saharan Africa. The project involves the creation of Internet portals for information on sustainable development and poverty reduction; it also includes e-government, e-business and e-learning components.[2]

Freedom of information legislation has not been passed in Central Africa, where many governments employ intimidation or heavy fines to keep the media in check. In Chad, the government has been critical of the newspaper *Le Temps*. Michaël Didama, the paper's acting editor, received a six-month suspended sentence after being found guilty of defamation and was ordered to pay substantial damages in 2001. One of President Déby's nephews lodged a complaint against Didama after *Le Temps* reported that relatives of the president had attempted a number of coups. The armed forces visited the newspaper office after another article reported on the death toll in clashes in the North.[3]

In Equatorial Guinea, Reporters sans frontières (RSF) urged President Teodoro Obiang Nguema in June 2002 to allow the independent press to cover freely and safely the trial of 144 opposition members accused of plotting against the government. The detainees, who included leaders of opposition parties, are charged

for example, has prevented the government from realising its budgetary provisions for 2002.[14]

In response to international pressure and internal criticism, countries in Central Africa increasingly refer to the need to combat corruption and some have taken drastic actions against corrupt officials. In October 2001, President Joseph Kabila of the DRC suspended the 57 boards of state-owned companies (90 per cent of the managing directors of companies) following audit results that detailed catastrophic mismanagement. His intervention may have been partially motivated by a desire to negotiate for a credit with the IMF, which had pointed to poor governance in the DRC and alluded to corruption in government structures in a September 2001 report. In a speech to the nation, Kabila denounced the generalised level of corruption in DRC and acknowledged that institutions put in place to combat it were weak.[15]

Other Central African nations have drafted new anti-corruption legislation and created new institutions to combat corruption. In Gabon the government with conspiracy to assassinate the president and incitement to rebellion. RSF reported that presidential guards and members of the security forces were threatening independent journalists on an almost daily basis. RSF also pointed out that courtroom seats were almost exclusively reserved for journalists from the state press.[4]

In Burundi, journalists have been arrested in what seems to be a clear pattern of harassment. In March 2001, the government issued a press statement that called on private and state media to 'respect the code of conduct, morality and the law' and issued warnings that those who failed to do so would be severely punished. In 2001, two independent radio journalists were arrested and briefly detained by members of the national intelligence agency following the broadcast of an interview with the spokesperson of the rebel, Hutu-dominated National Liberation Forces.[5]

A clampdown on freedom of expression in the DRC involved the arrest and ill treatment of journalists. In 2001, a journalist with the Kasai-Oriental province newspaper, *Congo Wetu*, was reportedly beaten by police officers after his newspaper accused the provincial governor of xenophobia and the improper sale of land. Two Kinshasa journalists were arrested on libel charges after reporting allegations that flour delivered to the southwest province of Bas-Congo may have been unfit for human consumption.[6]

In August 2001, Cameroonian police arrested the managing editor of an independent news magazine, *Haman Mana*, for publishing alleged defence secrets. They released him after holding him for almost four days.[7]

On a more positive note, in June 2002 the press in the Central African Republic was openly critical of a government corruption scandal that resulted in the arrest of the finance minister.[8]

1 *African Review of Business and Technology* (Britain), February 2002.
2 www.africaonline.com/search/search.jsp?a=v&contentid=43684&languageid=1.
3 Amnesty International Report 2002.
4 www.irinnews.org, 3 June 2002.
5 Amnesty International Report 2002.
6 Ibid.
7 BBC News (Britain), 4 August 2001.
8 Independent Online (South Africa), 14 July 2002.

passed a new anti-corruption law,[16] but analysts noted that the problem of corruption was not due to the lack of anti-corruption laws, but rather the absence of implementation.[17]

Implementation of anti-corruption measures had a more visible effect in the ROC, where a former president was convicted on corruption charges in December 2001. Pascal Lissouba was found guilty of treason and embezzlement and sentenced to 30 years' hard labour for his role in a multimillion-dollar deal with the U.S. firm Occidental Petroleum, in which oil was priced well below the market price.[18]

The government of Cameroon pledged, in a letter of intent with the IMF of December 2001, to take 'additional steps to improve transparency and accountability in public sector management and to combat corruption' and to render operational anti-corruption units that were already established in 10 ministries.[19]

In the Central African Republic, a far-reaching political and financial scandal followed the arrest of the country's finance minister in early July 2002. His arrest came hard on the heels of the detention of more than 20 government officials suspected of embezzling public funds. President of the National Assembly Luc-Apollinaire Dondon-Konamabaye released details of a study that claims that senior officials had produced and recycled false treasury bonds in order to redirect government funds. The police estimated that the country lost more than CFA Fr 2 billion (about US $3 million) from the scandal.[20] Dondon-Konamabaye began a crackdown on corruption in June 2002. 'Fraudulent practices are going on in government financial institutions, namely the treasury, the income tax department, customs and excise and across the entire finance department. Some finance officers within ministries such as education are also among the culprits,' said Dondon-Konamabaye.[21]

Private sector

In many Central African states, particularly the DRC and ROC, the private sector is adversely affected by the illicit importation of goods and a growing underground economy, both aided by corrupt officials posted at borders and ports. Smuggling and its facilitation through corrupt practices have discouraged domestic entrepreneurship and, as a consequence, the creation of badly needed local jobs in key local industries, such as textiles.

Black market trafficking in commercial timber has become one of Cameroon's biggest businesses, costing the government millions of dollars in tax revenue each year. Meanwhile, illegal imports to the DRC are flourishing in spite of a recent government decision to increase the number of police and customs officers at the important river port of Beach Ngobila, the main transit point for goods transported from ROC.

In several countries in the region, corporations have taken advantage of the weakness of public institutions, which do not adequately constrain civil servants, to exploit natural resources illegally and cheaply. In DRC, various military and ethnic factions have scrambled for possession of the country's plentiful supplies of diamonds, gold, timber and coltan, using the revenue gained from illegal exports both to enrich their commanders and purchase weapons to escalate a war that has reportedly claimed 2 million lives. Corruption and kickbacks are a common means of securing political backing in rebel-held areas of DRC, as well as in government territory.[22]

In Rwanda, the long-standing ethnic tensions between the Hutu and Tutsi communities affected oil industry developments. After the general manager of the South African company Engen Petroleum dismissed Rwandans from key management positions on charges of corruption, replacing them with South African nationals, he received death threats that forced him to flee Rwanda. After failing to do business in the country, Engen sold the company in February 2002 to the Rwandan company Sakirwa, a firm owned by a close associate of President Paul Kagame.[23]

With respect to Equatorial Guinea, which an oil boom has transformed into the world's fastest-growing economy, an IMF report notes that the 'management of oil contracts lacks transparency, and there is no fiscal control over the payments due from and paid by the oil companies. Government oil revenue is paid into treasury accounts held abroad.' President Obiang has pledged not to make the same mistakes as the governments of Nigeria and Gabon, which 'squandered huge amounts of export earnings', but the Equatoguinean opposition charges that there is extensive corruption at the heart of the government.[24]

Civil society

Civil society groups continued to play a key watchdog role in Central Africa during the period under review. Such organisations were involved in exposing fraud in elections in Chad, Gabon and ROC. International NGOs have also played an important role in combating corruption in Central Africa. As government-appointed observer of the Cameroonian timber industry, the British NGO Global Witness collected documentation as well as satellite and photographic evidence on 25 forestry concessions visited in 2001 and 2002. The group's July 2002 report shows that almost every logging company is involved in major illegalities, with the two largest cases involving more than £90 million (US $142 million) of timber. Global Witness pointed out in an alert to timber importers that if a company 'wants to get the authority to log, it must pay bribes. If it wants to be legal it must denounce people taking bribes.' The NGO provides monitoring reports to the government of Cameroon, as well as to the EU, the World Bank, Britain's DfID and other members of the international donor community.[25]

The ROC government has been far less willing to cooperate with activists. After investigating the operations of one logging company in the north of the country, a conservationist was imprisoned in May 2002 for 'economic espionage'.[26]

Media in the region enjoy neither the freedom nor the resources that foster effective anti-corruption reporting. Official censorship of the press and the dearth of trained investigative journalists have combined to prevent the exposure of corruption. The government of Gabon, for instance, routinely censors the country's few independent newspapers, while self-censorship is the norm among Rwanda's journalists, who avoid covering controversial topics in order to prevent reprisals.[27] Cameroon's draconian laws subject media owners who tackle corruption issues to civil liabilities, long prison terms and fines that can lead to bankruptcy. Even when journalists report accurately, their newspapers can still be sued for libel.

Despite repressive regimes across the region, however, some media organisations have developed programmes to inform and educate people about the effects of corruption. In Burundi, which is home to a highly polarised society, the independent radio station Radio Publique Africaine has been hailed as a symbol of reconciliation between the Hutu and Tutsi communities. Programming highlights social issues such as corruption, exploitation and non-ethnic political problems.[28]

1 *Africa Confidential* (Britain) 42, no. 14, July 2001; *World Policy Institute* (US), July-August 2001.
2 *Africa Confidential* (Britain), 9 November 2001; BBC News (Britain), 22 April 2002.
3 IRIN News, 28 March 2002.
4 *Jeune Afrique Economique* (France), 2–15 July 2001; Energy Information Administration, www.eia.doe.gov/cabs/eqguinea2.html.
5 *Guardian* (Britain), 19 April 2002.
6 *Jeune Afrique/l'Intelligence* (France), 20–26 March 2001.
7 Ibid., 18 June–1 July 2001.
8 Inter Press Service, 11 March 2002; www.hirondelle.org, 13 March 2002; Amnesty International Report 2002; www.un.org/Depts/oios/reports/a56_836.pdf.
9 news.bbc.co.uk/1/hi/world/africa/2093507.stm.
10 News after the elections suggests that police kidnapped the wife and six children of the president of the Independent Electoral Commission. *Africa Confidential* (Britain), 5 June 2001.
11 *Jeune Afrique/l'Intelligence* (France), 18–24 December 2001.
12 IRIN News, 28 March 2002.
13 *Jeune Afrique/l'Intelligence* (France), 7–13 August 2001.
14 www.digitalcongo.net/fullstory.php?id=7065, 10 December 2001.
15 *Africa Confidential* (Britain), 14 September 2001.
16 ANB-BIA Supplement issue no. 415, 1 July 2001.
17 *Jeune Afrique/l'Intelligence* (France), March 2001.
18 BBC News (Britain), 29 December 2001.
19 www.imf.org/external/np/loi/2001/cmr/02.
20 Independent Online (South Africa), 14 July 2002.
21 Radio France Internationale, 15 July 2002.
22 Author's interview with Paul Nsapu, president of the Kinshasa-based League of Voters, Kinshasa, December 2001.
23 *Mail & Guardian* (South Africa), 8 February 2002.
24 www.afrol.com/News2001/eqg017_gdp_growth.htm#up; IMF: 'Public Information Notice: IMF Concludes 2001 Article IV Consultation with Equatorial Guinea', 11 October 2001, www.imf.org/external/np/sec/pn/2001/pn01ind.htm.
25 www.globalwitness.org; *Guardian* (Britain), 19 April 2002.
26 Global Witness, 'Release of reports of the Independent Observer of Forest Law Enforcement in Cameroon', press release, 8 July 2002.
27 Reporters sans frontières, *Freedom of the Press throughout the World: Annual Report 2002*.
28 www.africaonline.com/search/search.jsp?a=v&contentid=27622&languageid=1.